

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Total Asset Recovery Services, et al.,

**USDC SDNY
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DATE FILED: 6/7/2021

Plaintiffs, : **1:21-cv-02466 (ALC)**

-against-

ORDER

**Huddleston Capital Partners VIII
LLC, et al.,**

Defendants. :

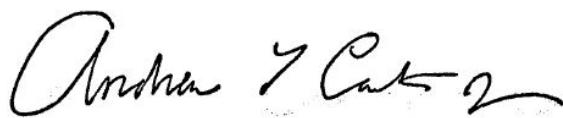
ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of Defendants Kenneth Elder ("Elder") and G3 Analytics LLC's ("G3") June 1, 2021 letter motion requesting a pre-motion conference, if necessary, and for leave to add grounds for dismissal, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to their motion to dismiss Plaintiff Total Asset Recovery Services to be filed on June 10, 2021. ECF No. 33. This Court ordered Plaintiffs to respond, ECF No. 35, which they did on June 4, 2021. ECF No. 36.

Upon review of the submissions, Defendants Elder and G3's request for a pre-motion conference is hereby DENIED. However, the request that "their motion to dismiss be permitted to include the grounds of failure to state a claim upon which relief can be granted," ECF No. 33 at 3, is hereby GRANTED. For the anticipated motions to dismiss, the Parties are directed to comply with the briefing schedule as set forth previously by this Court. ECF No. 26.

SO ORDERED.

Dated: June 7, 2021
New York, New York



**ANDREW L. CARTER, JR.
United States District Judge**